

AMENDED IN ASSEMBLY JANUARY 4, 2010

AMENDED IN ASSEMBLY APRIL 21, 2009

AMENDED IN ASSEMBLY APRIL 14, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

## ASSEMBLY BILL

**No. 549**

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**Introduced by Assembly Member Furutani**

February 25, 2009

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~~An act to amend Sections 1207, 1261.5, and 1264 of, and to add Sections 1261.7, 1261.8, 1261.9, 1261.10, 1264.1, 1264.2, 1264.3, 1264.4, and 1264.5 to, the Business and Professions Code, relating to~~  
*An act to amend Section 1264 of the Business and Professions Code, relating to healing arts.*

### LEGISLATIVE COUNSEL'S DIGEST

AB 549, as amended, Furutani. Licensure: clinical laboratory personnel.

Existing law provides for the regulation and licensure of clinical laboratories and clinical laboratory personnel by the State Department of Public Health. *Existing law requires the department to issue a clinical chemist, clinical microbiologist, clinical toxicologist, clinical molecular biologist, or clinical cytogeneticist license to each person who has applied for the license on a specified form, who also holds a master of science or doctoral degree in the specialty for which the applicant is seeking a license, and who has met other requirements. Existing law requires the department to determine by examination, except as specified, whether an applicant is qualified. Existing law requires the graduate education to have included 30 semester hours of coursework in the applicants's specialty.*

*This bill would require the department to issue a clinical biochemical geneticist license to a person meeting these requirements and would specify that written documentation from an accredited training program indicating that an applicant completed the program shall constitute sufficient evidence. The bill would also require an applicant to provide evidence of satisfactory performance on a written examination in the applicant's specialty administered by one of several accrediting bodies specified as an appropriate accrediting body.*

~~Existing law authorizes the department to issue limited clinical laboratory scientist's licenses in chemistry, microbiology, toxicology, histocompatibility, immunohematology, genetic molecular biology, cytogenetics, or other areas of laboratory specialty or subspecialty when determined necessary by the department, as specified. Existing law requires an applicant to meet various requirements in order to qualify for admission to the examination for a special clinical laboratory scientist's license.~~

~~This bill would revise these requirements by requiring an applicant to either (1) have graduated from an educational institution maintaining standards equivalent to specified accredited institutions and have one year of full-time postgraduate specified training or experience or (2) have a doctoral degree from an accredited institution and provide evidence of completion of 2 years of postdoctoral training in a training program accredited by an approved accrediting body for the specialty, as specified. The bill would also authorize the department to issue a limited clinical laboratory scientist's license in biochemical genetics.~~

~~The bill would also, commencing January 1, 2010, require the department to issue a limited clinical laboratory scientist's license in cytogenetics, genetic molecular biology, biochemical genetics, and chemistry, to any person possessing a doctoral degree from an accredited institution who provides evidence of completing 2 years of postdoctoral training in a specified training program.~~

~~Existing law also requires the department to issue a clinical chemist, clinical microbiologist, clinical toxicologist, clinical molecular biologist, clinical biochemical geneticist, or clinical cytogeneticist license to each person who has applied for the license on a specified form who is also the holder of a master of science or doctoral degree in the specialty for which the applicant is seeking a license and who has met other requirements. Existing law requires the graduate education to have included 30 semester hours of coursework in the applicant's specialty.~~

~~This bill would specify that applicants possessing a doctoral degree from an accredited institution shall have the equivalent of 2 years of postdoctoral training in a training program accredited by a relevant accrediting body for the specialty and would also require each applicant to provide evidence of satisfactory performance on a specified written examination.~~

~~The bill would also, commencing January 1, 2010, require the department to issue a provisional license as a clinical cytogeneticist, clinical genetic molecular biologist, or a clinical biochemical geneticist to any person possessing a doctoral degree from an accredited institution who provides evidence of completing 2 years of postdoctoral training in a specified training program and would also require each applicant to provide evidence of satisfactory performance on a specified written examination.~~

~~Under existing law, a histocompatibility lab director, as defined, in order to be eligible for licensure, as a histocompatibility lab director, is required to provide evidence of satisfactory performance on a specified written and oral examination.~~

~~The bill would also, commencing January 1, 2010, require the department to issue a provisional license as a histocompatibility laboratory director to any person possessing a doctoral degree from an accredited institution who provides evidence of completing 2 years of postdoctoral training in a specified training program and would also require each applicant to provide evidence of satisfactory performance on a specified written examination.~~

~~The bill would authorize the department to adopt emergency regulations with respect to some of these provisions.~~

~~The bill would make other related changes.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 1264 of the Business and Professions
- 2     Code is amended to read:
- 3     1264. The department shall issue a clinical chemist, clinical
- 4     microbiologist, clinical toxicologist, clinical molecular biologist,
- 5     clinical biochemical geneticist, or clinical cytogeneticist license
- 6     to each person who has applied for the license on forms provided
- 7     by the department, who is a lawful holder of a master of science

1 or doctoral degree in the specialty for which the applicant is  
2 seeking a license, and who has met such additional reasonable  
3 qualifications of training, education, and experience as the  
4 department may establish by regulations. The department shall  
5 issue an oral and maxillofacial pathologist license to every  
6 applicant for licensure who has applied for the license on forms  
7 provided by the department, who is a registered Diplomate of the  
8 American Board of Oral and Maxillofacial Pathology, and who  
9 meets any additional and reasonable qualifications of training,  
10 education, and experience as the department may establish by  
11 regulation.

12 (a) (1) The graduate education shall have included 30 semester  
13 hours of coursework in the applicant's specialty. Applicants  
14 possessing only a master of science degree shall have the equivalent  
15 of one year of full-time, directed study or training in procedures  
16 and principles involved in the development, modification or  
17 evaluation of laboratory methods, including training in complex  
18 methods applicable to diagnostic laboratory work. Each applicant  
19 must have had one year of training in his or her specialty in a  
20 clinical laboratory acceptable to the department and three years of  
21 experience in his or her specialty in a clinical laboratory, two years  
22 of which must have been at a supervisory level. The education  
23 shall have been obtained in one or more established and reputable  
24 institutions maintaining standards equivalent, as determined by  
25 the department, to those institutions accredited by an agency  
26 acceptable to the department. The department shall determine by  
27 examination that the applicant is properly qualified. Examinations,  
28 training, or experience requirements for specialty licenses shall  
29 cover only the specialty concerned.

30 (2) *Written documentation from an accredited training program*  
31 *indicating an applicant's completion of the program shall*  
32 *constitute sufficient evidence for the purpose of this subdivision.*  
33 *Each applicant shall also provide evidence of satisfactory*  
34 *performance on a written examination in the applicant's specialty*  
35 *administered by an appropriate accrediting body. Written*  
36 *documentation from the National Credentialing Agency for*  
37 *Laboratory Personnel indicating an applicant's satisfactory*  
38 *performance on the written examination shall constitute sufficient*  
39 *evidence for this purpose. For purposes of this section, the*

1 following accrediting bodies shall be considered appropriate  
2 accrediting bodies:

3 (A) The American Board of Medical Microbiology.

4 (B) The American Board of Clinical Chemistry.

5 (C) The American Board of Bioanalysis.

6 (D) The American Board of Forensic Toxicology.

7 (E) The American Board of Medical Genetics.

8 (F) The Canadian Council of Medical Genetics.

9 (G) The American Academy of Clinical Toxicology

10 (H) The American Board of Histocompatibility and  
11 Immunogenetics.

12 (I) The American Board of Medical Laboratory Immunology.

13 (b) The department may issue licenses without the examination  
14 required by paragraph (1) of subdivision (a) to applicants who  
15 have passed examinations of other states or ~~national~~ an appropriate  
16 accrediting ~~boards~~ body whose requirements are equal to or greater  
17 than those required by this chapter and regulations established by  
18 the department. The evaluation of other state requirements or  
19 requirements of ~~national~~ appropriate accrediting ~~boards~~ bodies  
20 shall be carried out by the department with the assistance of  
21 representatives from the licensed groups. This section shall not  
22 apply to persons who have passed an examination by another state  
23 or ~~national~~ appropriate accrediting ~~board~~ body prior to the  
24 establishment of requirements that are equal to or exceed those of  
25 this chapter or regulations of the department.

26 (c) The department may issue licenses without examination to  
27 applicants who had met standards of education and training, defined  
28 by regulations, prior to the date of the adoption of implementing  
29 regulations.

30 (d) The department shall adopt regulations to conform to this  
31 section.

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34 **All matter omitted in this version of the bill**  
35 **appears in the bill as amended in the**  
36 **Assembly, April 21, 2009. (JR11)**  
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